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2014-1717

BEFORE

THE PUBLIC SERVICE COMMISSION

OF SOUTH CAROLINA

DOCKET NO. 2014--T

IN RE:	Petition of the Office of Regulatory Staff to)	
	Revoke Certificates of Public Convenience)	PETITION FOR RULE
	and Necessity of Certain Motor Carriers for)	TO SHOW CAUSE
	Non-Payment of Decal Fees)	

The South Carolina Office of Regulatory Staff ("ORS"), by filing this petition, would respectfully show and request of the Public Service Commission of South Carolina ("Commission"):

- 1. That the Commission is a state agency constituted pursuant to the laws of the State of South Carolina with its business offices located in Columbia, South Carolina; that the Commission is responsible for the regulation of motor vehicle carriers operating for compensation as set forth in S.C. Code Ann. § 58-23-10 et seq. (1976 and Supp. 2013); that ORS is charged with the duty to protect the public interest pursuant to S.C. Code Ann. Section 58-4-10, et seq. as enacted by 2004 S.C. Acts 175.
- 2. That the companies listed in Exhibit A are currently operating as "motor vehicle carriers" as defined in S.C. Code Ann. § 58-23-10(4) (Supp. 2013) in that they own, control, operate, or manage motor propelled vehicles, not usually operated on or over rails, used in the business of transporting persons or property for compensation over improved public highways in this state.

- 3. That the companies listed in Exhibit A are subject to the jurisdiction of this Commission pursuant to S.C. Code Ann. § 58-23-1010 et seq. (Supp. 2013); further, that these companies have submitted themselves to the jurisdiction of the Commission by their holding a Certificate of Public Convenience and Necessity as indicated in Exhibit A. See Exhibit A, Rule to Show Cause for Non-Payment of Decal Fees.
- 4. That the Companies listed in Exhibit A, upon receiving their Certificate of Public Convenience and Necessity, were found to be fit, willing and able to operate as a motor carrier by the Commission; that such authority found the companies were "familiar with all statutes and regulations, including safety regulations, governing for-hire motor carrier operations in South Carolina" and that they "agree to operate in compliance with these statutes and regulations" [10 S.C. Code Ann. Regs. 103-133(4)(a) (Supp. 2013)].
- 5. That, "A holder of a certificate A, B, or C with less than twenty vehicles must semi-annually on or before July first and January first of each year pay to the Commission the following fees: For vehicles weighing not more than two thousand pounds, seven dollars and fifty cents; and for vehicles weighing in excess of two thousand pounds, seven dollars and fifty cents for the first two thousand pounds and two dollars and fifty cents additional for each additional five hundred pounds or part thereof of weight, except that the total license fee may not exceed fifty dollars per vehicle semi-annually." S.C. Code Ann. § 58-23-560 (Supp. 2013) (emphasis added).
- 6. That, pursuant to S.C. Code Ann. § 58-4-10 et seq. (Supp. 2013), beginning January 1, 2005, ORS must represent the public interest of South Carolina before the Commission and has authority to enforce collection of such fees.

- 7. That the Companies listed in Exhibit A failed to pay fees that were due on or before January 1, 2014 and are therefore currently not in compliance with Commission statutes governing the regulation of motor carriers. See Exhibit B, Affidavit of Carole Chauvin.
- 8. That "the Commission may at any time, after notice and opportunity to be heard, suspend, revoke, alter, or amend any certificate, if it shall be made to appear that the holder has willfully violated or refused to observe orders, rules, or regulations prescribed by the Commission, provisions of the Motor Vehicle Carrier Law, or any other law of this State regulating motor carriers for hire and applicable to the holder of such certificate, or, if, in the opinion of the Commission, the motor carrier holding a Certificate of Public Convenience and Necessity is not furnishing adequate service or it is no longer compatible with the public interest to continue said certificate in force, or, if in the opinion of the Commission, the motor carrier holding a Certificate of FWA is no longer furnishing adequate service, or said carrier no longer meets the fit, willing, and able criteria..." 10 S.C. Code Ann. Regs. 103-240 (Supp. 2013).
- 9. That "the Commission may, after a hearing, order the suspension, revocation, alteration, or amendment of any certificate issued pursuant to Articles 1 through 11 of this chapter, if it is proved that the holder of the certificate willfully made any misrepresentation of a material fact in obtaining his certificate or willfully violated or refused to observe the laws of this State touching motor vehicle carriers or willfully violated any of the terms of his certificate or of the Commission's proper orders, rules or regulations. But the holder of the certificate has the right of appeal to any court of competent jurisdiction. The Commission must not be a party to any appeal." S.C. Code Ann. § 58-23-320 (Supp. 2013).
- 10. That the information listed in Exhibit A is the mailing address for each carrier on file with the Commission and ORS and the information listed in Exhibit A was provided by each

carrier listed in Exhibit A. See Exhibit A, Rule to Show Cause for Non-Payment of Decal Fees.

See also Exhibit B, Affidavit of Carole Chauvin.

WHEREFORE, ORS respectfully requests that the Honorable Commission:

1. Issue an order requiring the carriers listed in Exhibit A to appear before the

Commission and show cause why their Certificates of Public Convenience and Necessity should

not be revoked by this Commission pursuant to 10 S.C. Code Ann. Regs. 103-240 (2013);

2. Schedule and conduct a formal administrative hearing as soon as practicable to

address disputed issues of fact and law regarding the Certificates which the ORS seeks to have

revoked by the Commission in this action pursuant to 10 S.C. Code Ann. Regs. 103-175 and

103-240 (2013) and S.C. Code Ann. § 58-23-320 (Supp. 2013);

3. Following the formal administrative hearing, immediately rule to revoke the

Certificates of those motor carriers listed in Exhibit A in accordance with the authority provided

the Commission under S.C. Code Ann. § 58-23-320 (Supp. 2013) and thereafter immediately

enter a final Order; and,

4. For other appropriate action which the Commission may deem necessary.

C. Lessie Hammonds, Esquire

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April 23, 2014 Columbia, South Carolina

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APRIL 23, 2014 - CARRIERS OUT OF COMPLIANCE RTSC FOR NON-PAYMENT OF DECAL FEES DOCKET NO.

BEFORE

THE PUBLIC SERVICE COMMISSION

OF SOUTH CAROLINA

DOCKET :	NO.	
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April 23, 2014

IN RE: Petition of the Office of Regulatory)	
Staff to Revoke Certificates of)	AFFIDAVIT OF
Public Convenience and)	Carole Chauvin
Necessity of Certain Motor Carriers)	

The Affiant, after having been first duly sworn, deposes and states as follows:

- 1) My name is Carole Chauvin and I am employed by the Office of Regulatory Staff ("ORS") as a Program Specialist for the Transportation Department.
- 2) My office is located at 1401 Main Street, Suite 900, Columbia, South Carolina, 29201.
- 3) My duties and responsibilities as a Program Specialist for ORS include serving as custodian of records for business filings associated with motor vehicle carriers subject to the jurisdiction of the Public Service Commission ("PSC").
- 4) It is the regular business practice of ORS to maintain certain business records required to be filed by motor vehicle carriers that are subject to the jurisdiction of the PSC.
- 5) As a result of my duties and responsibilities, I have knowledge of the manner in which the books and records are kept and of any books or records which are not complete or which are not on file with ORS.
- 6) On April 23, 2014, I examined the business records on file with ORS.
- As a result of that examination, I attest that the License Decal Application Form(s) and appropriate license decal fee(s) as required by S.C. Code Ann. § 58-23-560 (Supp. 2013) have not been filed with ORS by the following carriers as of April 23, 2014: (See attached list)

AND FURTHER THE AFFIANT SAYETH NOT.

Carole chauni Carole Chauvin Program Specialist, Transportation Department Office of Regulatory Staff 1401 Main Street, Suite 900

Sworn and subscribed before me this 23 day of APRIC, 20 14

Notary Public for South Carolina My Commission Expires:

Notary Public, State of South Carolina

Mby Commission Expires 8/1/2022

Columbia, S.C. 29201

BEFORE

THE PUBLIC SERVICE COMMISSION

OF SOUTH CAROLINA

DOCKET NO. 2014--T

IN RE:	Petition of the Office of Regulatory Staff to Revoke Certificates of Public Convenience and Necessity of Certain Motor Carriers for)	CERTIFICATE OF SERVICE
	Non-Payment of Decal Fees)	

This is to certify that I, Karen D. Elliott, have this date served one (1) copy of the **PETITION FOR RULE TO SHOW CAUSE** in the above-referenced matter to the person(s) named below by causing said copy to be deposited in the United States Postal Service, first class postage prepaid and affixed thereto, and addressed as shown below:

[PLEASE SEE ATTACHED LIST OF PARTIES SERVED ON NEXT PAGE]

Kaun D. Elliott

April 23, 2014 Columbia, South Carolina A & A Taxi, Inc. 511 63rd Ave N Myrtle Beach, SC 29572

Alex Murphy Let's Go Golf'n PO Box 222 Loris, SC 29569 Beatrice Pierce 1501 N Rocky Way Dr Florence, SC 29506

Bel Aire Limousine Services, LLC 508 SparkleBerry Ln Ladson, SC 29456 Bethea Medical Transport, LLC PO Box 825 Mullins, SC 29574 Bowers Signature Services, LLC PO Box 1828 Easley, SC 29641

Byron & Kendric Free d/b/a We Care Transport of the Pee Dee 1204 Gloria Dr Darlington, SC 29532 Cameron Transport, LLC PO Box 210941 Columbia, SC 29221

Cardiss Green 165 Central Dr Florence, SC 29501

Care-A-Van Medical Transport, LLC PO Box 4383 Irmo, SC 29063 Carolinas Medical Response, Inc. PO Box 2549
Loves Park, IL 61132

Charleston Fun Time, Inc. 567 Jessica Ln Summerville, SC 29483

Charleston Transportation Leasing, LLC PO Box 63523 North Charleston, SC 29419 Christine Nelson Harper d/b/a Christine's Transportation Services 4774 Luella Ave North Charleston, SC 29405 Christopher Holguin d/b/a Mr. P-Nuts Taxi 328 Twin Lakes Drive Summerville, SC 29483

Ciara Wright d/b/a We Care Medical Transportation 114 Esau Circle Walterboro, SC 29488 Colonial Limo Services, LLC 218 Soft Stone Dr Blythewood, SC 29016 Connie F. Mitchell 140 E Wingate Ave Florence, SC 29506

Ebb Tide Taxi, LLC 4341 Spa Dr Apt 1203 Little River, SC 29566 Edward Smalls d/b/a E & B Taxi 2741 Constitution Ave North Charleston, SC 29405 Edward Swain d/b/a AAA Limo & Shuttle 800 Columbia Dr Lot 23 Myrtle Beach, SC 29577

Edward Swain d/b/a AAA Limo & Taxi 800 Columbia Dr Lot 23 Myrtle Beach, SC 29577 Elite Limo Service, LLC 120 Dorchester Manor Blvd North Charleston, SC 29420 Francisco Vizcarra d/b/a Luxurious Limousine Service PO Box 51672 Myrtle Beach, SC 29579

Fred Johnson, Jr. d/b/a JC Limo Service 110 Blossom St Goose Creek, SC 29445 Freddie L. Middleton d/b/a A Dependable Transportation Service 3005 Harris Mill Dr North Charleston, SC 29420

d/b/a A Dependable Transportation Service 3005 Harris Mill Dr North Charleston, SC 29420

G2G Transportation, LLC 3905 W Beltline Blvd Ste 12 Columbia, SC 29204 George C. McCormick d/b/a Text Me Taxi 8104 Pleasant Ridge Dr North Charleston, SC 29420 Inlet.....Entourage, LLC PO Box 2231 Murrells Inlet, SC 29576

Freddie L. Middleton

J.C. Smith James C. Robertson Jeb D. Hart 522 Jefferson St. d/b/a Dream Riders Limo d/b/a Budget Taxi Florence, SC 29506 100 Lands End Blvd Unit 602 1369 Highlands Hwy Walhalla, SC 29691 Myrtle Beach, SC 29572 Jeremy Clark Jose Barrer Ortiz Joseph Snipe, Jr d/b/a J Transportation d/b/a 1 On One Transport d/b/a Taxi Ortiz Veloz 33 Maple St 4416 Wither Dr PO Box 852 Charleston, SC 29403 Saluda, SC 29138 North Charleston, SC 29405 Kathy Council Kenneth E. LeBel KST Transports, LLC d/b/a T. Council's Elite Car Service d/b/a Coastal Transportation 4 Cane Break Ct 320-A Dunlap Dr 2225 Ashley River Rd Apt 197 Columbia, SC 29229 Hartsville, SC 29550 Charleston, SC 29414 LaJuana A. Pinckney Legend's Limousine Service, LLC Lisa Marie Towne-Geonellie d/b/a Columbia Shuttle Service PO Box 2142 d/b/a Cabbie of Charlestown 132 Green Springs Ct Walterboro, SC 29488 1212 Pine Ct Columbia, SC 29223 Hanahan, SC 29410 Lisa R. Brown Lowcountry Funtime LLC Metro One Ambulance, Inc. d/b/a Star Player Express 1510 Calamus Pond Rd 4210 Columbia Rd Ste 13B 140 Ebony Ln Summerville, SC 29483 Martinez, GA 30907 Goose Creek, SC 29445 Northern Anderson County Emergency Pearson Local Express, LLC Peggy R. McManus Medical Service 183 Graball Rd d/b/a McManus Transport Service PO Box 51222 Gaston, SC 29053 5166 Aberdeen Rd Piedmont, SC 29673 Raeford, NC 28376 Pickens County Seniors Unlimited, Inc. Poimen, LLC Prestige Limousine Service, LLC **PO Box 807** 75 Stanley Farm Rd 2740 Jamestown Road Liberty, SC 28657 Beaufort, SC 29906 Camden, SC 29020 Quick Transportation Service, LLC Reginald Mitchell Renal Transit, LLC 234 Shorthorn Rd d/b/a Horizon Transportation 108 Shoreditch Drive Cheraw, SC 29520 8658 S Bridge Dr Apt G Columbia, SC 29209 Myrtle Beach, SC 29575 Ride Rite Transportation, LLC **Robert Simmons** Robert White, Jr. PO Box 7209 d/b/a Right Price Limousine Service d/b/a Manning Taxi 889 High Hill Rd Florence, SC 29502 114 Qwin Lane Scranton, SC 29591 Goose Creek, SC 29445 Royalty Express, LLC Smalls Transport, LLC **Ruby Barnes** d/b/a Wiley's Classic Limousine Service 301 Reynard Dr 327 Oak Manor Dr Columbia, SC 29229 3714 Pinnacle Place Dr Goose Creek, SC 29445

Hephzibah, GA 30815

Tender Care Health Care Group, LLC d/b/a T C Medical Transport 1245 Celebration Blvd Florence, SC 29501

TransMed, LLC 379 N Front St Wilmington, NC 39502

Vernon Lawrence 9478 Leeds Cr Myrtle Beach, SC 29588 Toast of the Town, LLC d/b/a A Star Limousine 362 Dunning Rd Summerville, SC 29483

Travis Brown d/b/a Universal Transportation Service 2028 Hampton Ave North Charleston, SC 29405

Watkin White, Jr. 2780 Pajoe Lane Lynchburg, SC 29080 Tonya R. Johnson 1015 W Darlington St Florence, SC 29501

Travis Postell d/b/a Party Rollers 1236 River Rock Rd Hanahan, SC 29410

Webb Transport Services, LLC 1905 Amity Rd Belton, SC 29627